

10/541700

JUL 14 2005 07 JUL 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Dr. Jorg Bewersdorf and Dr. Hilmar Gugel Confirmation No: Not Yet Assigned

Serial No: Not Yet Assigned Group: Not Yet Assigned

Filed: Herewith Examiner: Not Yet Assigned

For: Confocal 4-PI Microscope and Method for  
Confocal 4-PI Microscopy

Customer No.: 29127

Attorney Docket No. 21295.0109US1 (E0673US)

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CERTIFICATE OF EXPRESS MAIL  
 \*\*\*\*\*

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to: Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

Express Mail No: EV 318944984 US

By: Claire J. Handalian  
 Claire J. Handalian

July 7, 2005  
 Date

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INFORMATION DISCLOSURE STATEMENT  
 \*\*\*\*\*

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
 (First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
 (Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
 (After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:

- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

☒ Enclosed herewith is form PTO-1449:

☒ Copies of the cited references are enclosed.

☐ References cited were entered in prior application, U.S. Application No. \_\_\_\_\_, to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]

☐ The listed references were cited in the enclosed International Search Reports in two counterpart foreign applications.

☒ The "concise explanation" requirement (non-English references) for reference under 37 CFR 1.98(a)(3) is satisfied by:

☐ the explanation provided on the attached sheet.

☒ the explanation provided in the Specification and US counterparts.

☐ submission of the enclosed International Search Report.

☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.

☐ the enclosed US counterpart.

☐ Applicant requests that the following non-published pending applications be considered:  
Examiner's  
Initials

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

Examiner

Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

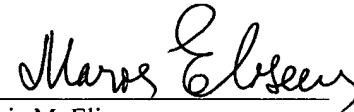
☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 502 233 in the amount of \$[ ]. A copy of this Statement is enclosed.

☐ Please charge any deficiency in fees and credit any overpayment to Deposit Account 502 233.

☒ No fee is required.

Respectfully submitted,

By 

Maria M. Eliseeva  
Registration No. 43,328  
Houston Eliseeva LLP  
4 Militia Drive, Ste. 4  
Lexington, MA 02421  
Telephone: 781-863-9991  
Facsimile: 781-863-9931

Dated: July 7, 2005

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*